

DIVISION - CONTINUATION - CONTINUATION-IN-PART APPLICATION TRANSMITTAL FORM				Attorney Docket No.: 3160-C	
Anticipated Classification Of This Application: Class		Subclass		Prior Application: Examiner R. M. deberry	
				Art Unit 1647	

17858 U.S. PTO
 10/715667

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To the Commissioner for Patents:

This is a request for filing a ☒ continuation ☐ divisional ☐ continuation-in-part application, under 37 CFR 1.53(b), of pending prior application Serial No. 09/972,708 filed on October 5, 2001 of David J. Cosman, Bruce A. Mosley, Timothy A. Bird, Robert F. DuBose and Steven R. Wiley for HEMATOPOIETIN RECEPTORS HPR1 AND HPR2

For CONTINUATION or DIVISIONAL APPLNs only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 1b, below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

1. ☒ Transmitted herewith are:

☒ 78 pages of specification, 6 pages of claim(s) and 1 page of abstract, totaling 85 pages.

☐ sheet(s) of drawings.

☒ 3 pages of Oath or Declaration by the applicant(s):

☐ a. Newly executed (original or copy)

☒ b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional applns. only)
Copy of Statement Under 37 C.F.R. 3.73(b) with copy of Assignment

☒ 55 Pages of paper copy of Sequence Listing; and Sequence Statement

2. ☐ The filing fee is calculated below:

For	Number Filed		Number Extra		Rate		Fee
Total Claims	0	- 20 =	0	x	\$18.00	=	\$ 0.00
Independent Claims	0	- 3 =	0	x	\$86.00	=	0.00
Multiple Dependent Claims	0			+	\$290.00	=	0.00
Basic Fee					\$770.00	=	0.00
Total Filing Fee							0.00

3. ☐ Please charge Deposit Account No. 09-0089, in the name of Immunex Corporation, in the amount of \$00.00. An original and one copy are enclosed.

4. ☒ Throughout the prosecution of this application, if any extension of time is necessary, please consider this a request therefor.

5. ☐ The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application, any additional fees which may be required during pendency of this application as required by 37 CFR 1.16 or 1.17, or credit any overpayment to Deposit Account No. 09-0089 throughout the prosecution of this application.

6. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

7. ☐ Preliminarily, please amend the specification by inserting before the first line the following:

--This application is a ☐ continuation ☐ division of application Serial No. _____, filed _____, which is/are hereby incorporated by reference.--

8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of base issue fee.)

8a. ☐ New formal drawings are enclosed.

9. ☐ Priority of application Serial No. _____ filed on _____ in _____ (country) is claimed under 35 USC 119.

9a. ☐ The certified copy has been filed in prior application Serial No. _____ filed _____

10. ☒ The prior application is assigned of record to Immunex Corporation Reel 012484 Frame 0441

11. ☒ A preliminary amendment is enclosed.

12. ☒ Also enclosed Petition for Extension of Time (+ copy)

13. ☐ Other: _____

14. ☒ The power of attorney in the prior application is to:
Immunex Corporation

a. ☐ The power appears in the original papers in the prior application.

b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Address all future communications to
Suzanne A. Sprunger, Ph.D.
at the address below.

Signator: ☐ Assignee of complete interest

☒ Attorney or agent of record



Suzanne A. Sprunger, Ph.D.
Attorney for Applicants
Registration No. 41,323
Phone: (206) 265-4071
Date: November 14, 2003

Please send all future correspondence to:

Immunex Corporation/SAS
Law Department
51 University Street
Seattle, WA 98101
(206) 587-0430



22932

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Docket No.: 3160-C

David J. Cosman, Bruce A. Mosley,
Timothy A. Bird, Robert F. DuBose and Steven R. Wiley

Serial No.: --to be assigned--

Prior Application:

Serial No.: 09/972,708

Filing Date: November 14, 2003

File Date: October 5, 2001

Art Unit: 1647

Examiner: R. M. Deberry

For: HEMATOPOIETIN RECEPTORS HPR1 AND HPR2

CERTIFICATE OF MAILING BY EXPRESS MAIL

MAIL STOP BOX PATENT APPLICATION

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

EXPRESS MAIL LABEL NUMBER: ET 437819752 US

I hereby certify that the following correspondence is enclosed and is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date listed below, and is addressed to Mail Stop BOX PATENT APPLICATION, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

- Postcard
- Continuation Application Transmittal Form (2 pages + copy)
- Petition for Extension of Time (+ copy)
- Preliminary Amendment (3 pages)
- Specification, claims and abstract (85 pgs.) (copy of prior)
- Sequence Listing (55 pgs) (copy of prior)
- Sequence Statement Under 37 CFR 1.821(e)
- Copy of Declaration and Statement Under 37 CFR 3.73(b) and Power of Attorney by Assignee with copy of Assignment from prior application

Signed: _____

Kathleen F. Prindle

Date: _____

11/14/03